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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

**DECLARATION OF RYAN OSTER
IN SUPPORT OF OMNIBUS
OPPOSITION OF THE CHAPTER
11 TRUSTEE TO: (I) NOTICE AND
MOTION TO COMPEL TRUSTEE
TO ABANDON ALLRISE MINING
POD AND (II) APPLICATION OF
ALLRISE FINANCIAL GROUP FOR
ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSE
CLAIM**

DECLARATION OF RYAN OSTER

1 I, Ryan Oster, declare as follows:

2 1. I submit this declaration in support of the *Omnibus Opposition of the*
3 *Chapter 11 Trustee to: (i) Notice and Motion to Compel Trustee to Abandon*
4 *Allrise Mining Pod and (ii) Application of Allrise Financial Group for Allowance*
5 *and Payment of Administrative Expense Claim* (the “**Opposition**”), which I have
6 read.

7 2. The statements set forth herein are based on my personal knowledge,
8 unless otherwise noted. If called as a witness, I would and could competently
9 testify thereto.

10 3. Unless otherwise defined herein, capitalized terms have the meanings
11 ascribed to them in the Opposition.

12 4. I am the principal of MLDC 1, LLC and Giga Plex, LLC, which are
13 the landlords at the Moses Lake Facility. MLDC 1, LLC is the Master Landlord
14 for the land on which the pod that is at issue in the Abandonment Motion and the
15 Administrative Claim was built.

16 5. On May 1, 2017, Giga Watt, Inc. and the Master Landlord signed a
17 lease for the land on which the Pod is located (the “**Master Lease**”). A true and
18 correct copy of the Master Lease is attached to the Opposition as **Exhibit A**.

19 6. I never received notice regarding any Sublease with Allrise. I also
20 never received any notice of any kind that Allrise asserted any kind of interest in
21 any of the pods located at the Moses Lake Facility. Allrise never publicly recorded
22 any interest in the Pod. No insignia were placed on the Pod. No indication of any
23 kind was ever made that Allrise was conducting business at the Pod or claimed
24 ownership in the Pod.

25 7. In October 2018, the Debtor and the Master Landlord amended the
Master Lease to provide that a sublease was allowed, provided that the Master

1 Landlord provided written consent. A true and correct copy of the amended
2 Master Lease is attached to the Opposition as **Exhibit G**, ¶ 17. No consent to
3 sublease was ever requested or obtained.

4 8. In mid-January 2019, the Grant County Public Utility District shut
5 off the electricity at the Moses Lake Facility. At that point in time, I locked all of
6 the pods at the Moses Lake Facility as well as the exterior perimeter fencing for
7 the entire Moses Lake Facility. I stayed on the premises 24 hours, seven days a
8 week in order to ensure security. I also bought and installed power generators so
9 that security cameras would watch the premises at all times. No miners were
10 removed by me and I am not aware of any miners being removed from the facility
11 during that period.

12 9. After Mark D. Waldron was appointed as the Chapter 11 Trustee in
13 the above-captioned case, I continued to reside at the Moses Lake Facility with
14 security cameras.

15 10. After the Chapter 11 Trustee received this Court's permission to
16 operate the Moses Lake Facility, I entrusted the keys to the Moses Lake Facility to
17 Lauren Mieke and Allen Oh, whom the Trustee had retained pursuant to Court
18 orders.

19 11. On or about July 19, 2019, I paid to have the electricity turned on at
20 the remaining closed pods at the Moses Lake Facility, Pod 1, which is the Pod at
21 issue here, and Pod 2.

22 To the best of my knowledge, I declare under penalty of perjury that the
23 foregoing is true and correct.

24 Executed this 17th day of February 2020 in Monroe, Washington.


Ryan Oster

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